

EMPLOYEE DEVELOPMENT

1. REASON FOR ISSUE: To revise VA policy on funding for academic degree training as provided in section 1331 of the Homeland Security Act of 2002.

2. SUMMARY OF CONTENTS/MAJOR CHANGES:

a. The Act authorizes agencies to pay for or reimburse employees for the cost of academic degree training. This change to VA Directive 5015 establishes the framework for exercising the authority of the Act, specifies the VA officials delegated the authority to exercise the provisions of Section 1331, and establishes the requirement for written plans and procedures for exercising the authority of the Act. These changes will be incorporated into the electronic version of VA Handbook 5015 that is maintained on the [Office of Human Resources Management website](#). Significant changes include:

- b. Delete paragraph 2b(9);
- c. Add the contents of this change to page 4 after paragraph 2b(8).
- d. On page 6, after 4i add: j. Federal Register, June 13, 2003, and k. Homeland Security Act of 2002, section 1331.

3. RESPONSIBLE OFFICE: Human Resources Development Service (053), Office of Human Resources Management, is responsible for:

- a. Content and administrative oversight of this authority;
- b. Periodic monitoring of the implementation of this authority.

4. RESCISSIONS: None.

5. This authority terminates June 14, 2004.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS**

/s/Edward F. Meagher
Acting Assistant Secretary for
Information and Technology

/s/William H. Campbell
Acting Assistant Secretary for
Human Resources and Administration

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(7) Ensure that the selection of employees for training is made without regard to race, religion, national origin, sex, political preference, color, marital status, age, disabling condition, sexual orientation, parental status and with proper regard for their privacy and rights set forth in 5 U.S.C. 2302(b);

(8) Ensure that training facilities and curriculum are accessible to employees with disabilities;

(9) [Funding for Academic Degree Training: Section 1331(a) of the Homeland Security Act of 2002 amends the provisions of 5 USC 4107 by expanding the authority of an agency to pay for or reimburse employees for the cost of academic degree training.

(a) This authority may be exercised when such training contributes:

1. To significantly meeting an identified agency, administration, or staff office training need that is consistent with VA's Strategic Plan;

2. To solving an identified agency staffing problem;

3. To accomplishing goals in VA's Strategic Human Capital Management Plan; and

4. To a planned, systemic, and coordinated program of professional development.

(b) This authority does not change existing VA policy pertaining to employees appointed under title 38 USC. VA officials may seek additional authority under title 38 USC to expand the provisions of this change to title 38 employees.

(c) This authority may not be exercised:

1. For the sole purpose of providing an employee an academic degree or as a means for qualifying for a position that requires an academic degree; or

2. On behalf of any employee occupying or seeking to qualify for:

a. A noncareer appointment in the Senior Executive Service;

b. Appointment to any position that is excepted from the competitive service because of its confidential policy-determining, policy-making, or policy-advocating character.

(d) This authority is delegated from the Secretary of Veterans Affairs to Under Secretaries, Assistant Secretaries, Other Key Officials, and Deputy Assistant Secretaries or their designees. They may further delegate this authority to VISN, MSN, and VBA area directors. This authority may not be further delegated.

(e) Prior to implementing this authority, VA officials in implementing offices will establish a system of records, and develop written plans and procedures for:

1. Accounting of funds spent for academic degree training and the number of employees and types of programs enrolled in or completed;

2. Ensuring competitive procedures for selecting employees for academic degree training are consistent with the requirements of 5 CFR 335.103(b)(3) and part 300, subpart A of this chapter;

3. Ensuring institutions awarding an academic degree are accredited by a nationally recognized body, as recognized by the U.S. Department of Education; and

4. Certifying how such training will meet VA training needs, resolve an identified VA staffing problem, or accomplish a VA goal in the VA Strategic Human Capital Management Plan.

(f) VA Officials exercising this authority will ensure that employees selected to benefit from this provision are required to sign a continued service agreement prior to beginning the training.]

(10) Consider professional conferences as training when the announced purpose of the educational or instructional conference meets all the other conditions of 5 CFR 410.404.

c. Presidential Appointee Training

(1) The Secretary of Veterans Affairs will authorize all training for VA officials appointed by the President. This authority may not be further delegated to a subordinate. The decision to provide training to the Secretary will be deferred to the Office of Personnel Management (OPM). The provisions of 5 CFR 410.302 (b) (1) and EO 11895 will be followed.

(2) Requests for training for Presidential appointees will be processed through the office of the Director, Human Resources Development Service. The request will include:

(a) A completed SF 182. This will be submitted at least 10 working days prior to the start of the training;

(b) A statement justifying the training and describing how the official will apply it during his or her term of office; and

(c) A description of the training, its location, vendor, cost, and duration.

d. Contributions or Awards. The provisions of 5 CFR 410.502 and guidance from VA Ethics Office will be followed. The authority to authorize VA employees to accept cash or in kind services for training is delegated to administration and staff office heads.

e. Continued Service Agreements (CSA) 5 CFR 410.309. Each administration and staff office head will develop policies that protect the interests of the Department of Veterans Affairs. The policies will require each employee to sign a CSA before training begins. The minimum Departmental standard for requiring a CSA is courses that are 40 hours in length and cost at least \$500.00. Administration and staff office heads may develop policies that are more restrictive. Each administration and staff office head will establish written procedures for recovering costs and written procedures for waivers associated with failure to complete required service of their employees' agreements.

f. **Repayment of Training Costs.** In accordance with 5 CFR 410.405, VA employees who fail to complete training for which VA incurs a cost will be required to repay all training costs (less salary and other compensation). Waiver procedures for repayment of training costs will be determined by each administration.

c. The Human Resources Development Service (053), Office of Human Resources Management, is responsible for oversight of VA training policy.

4. REFERENCES

- a. 5 CFR, parts 410 and 412.
- b. 5 U.S.C., chapter 41.
- c. OPM Training Policy Handbook (HRD 97-01).
- d. Federal Acquisition Regulation.
- e. National Archives and Records Administration (NARA) General Records Schedule.
- f. Executive Order (E.O.) 11348 as amended by E.O. 12107, providing for the further training of Government employees.
- g. E.O. 11895, Delegating Authority of the President to Designate Individuals Appointed by the President to Receive Training.
- h. E.O. 13111, Using Technology to Improve Training Opportunities for Federal Government Employees.
- i. E.O. 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.
- [j. Federal Register, June 13, 2003.
- k. Homeland Security Act of 2002, section 1331.]